

LAUREL E. DAVIS, ESQ., Nevada Bar No. 3005  
LIONEL SAWYER & COLLINS  
1700 Bank of America Plaza  
300 South Fourth Street  
Las Vegas, NV 89101  
Telephone: (702) 383-8888  
Facsimile: (702) 383-8845  
Email: [Ldavis@lionelsawyer.com](mailto:Ldavis@lionelsawyer.com)

E-Filed on 5/19/06

Attorneys for Scott K. Canepa

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:	)	Case No. 06-10725-LBR
	)	Chapter 11
USA COMMERCIAL MORTGAGE	)	
COMPANY,	)	
	)	Date: June 15, 2006
Debtor.	)	Time: 10:00 a.m.

**CERTIFICATE OF SERVICE RE:**  
**NOTICE OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY**  
**TO TERMINATE LOAN SERVICING AGREEMENT FOR DIRECT**  
**LOAN TO BOISE/GOWAN, L.L.C.**

1. On May 18, 2006, I served the following document(s):

**Notice of Motion for Relief from the Automatic Stay to Terminate Loan  
Servicing Agreement for Direct Loan to Boise/Gowan, L.L.C.**

2. I served the above-named document(s) by the following means to the persons as listed below:

[x] a. **ECF System** (attach the "Notice of Electronic Filing" or list all persons and addresses):

\* **Franklin C. Adams**  
[franklin.adams@bbklaw.com](mailto:franklin.adams@bbklaw.com), [arthur.johnston@bbklaw.com](mailto:arthur.johnston@bbklaw.com)  
\* **Kelly J. Brinkman**  
[kbrinkman@gooldpatterson.com](mailto:kbrinkman@gooldpatterson.com)  
\* **Matthew Q. Callister**  
[mqc@callister-reynolds.com](mailto:mqc@callister-reynolds.com), [maggie@callister-reynolds.com](mailto:maggie@callister-reynolds.com)  
\* **Candace Carlyon**  
[ltreadway@sheacarlyon.com](mailto:ltreadway@sheacarlyon.com), [ccarlyon@sheacarlyon.com](mailto:ccarlyon@sheacarlyon.com),  
[bankruptcyfilings@sheacarlyon.com](mailto:bankruptcyfilings@sheacarlyon.com), [rsmith@sheacarlyon.com](mailto:rsmith@sheacarlyon.com)

\* **Kevin B. Christensen**  
[kchislaw@gooldpatterson.com](mailto:kchislaw@gooldpatterson.com)

\* **Janet L. Chubb**  
[tbw@jonesvargas.com](mailto:tbw@jonesvargas.com)

\* **Jeffrey A. Cogan**  
[jeffrey@jeffreycogan.com](mailto:jeffrey@jeffreycogan.com), [sarah@jeffreycogan.com](mailto:sarah@jeffreycogan.com)

\* **Cici Cunningham**  
[bankruptcy@rocgd.com](mailto:bankruptcy@rocgd.com)

\* **Thomas H. Fell**  
[THF@GORDONSILVER.COM](mailto:THF@GORDONSILVER.COM),  
[BANKRUPTCYNOTICES@GORDONSILVER.COM](mailto:BANKRUPTCYNOTICES@GORDONSILVER.COM)

**Scott D. Fleming**  
[sfleming@halelane.com](mailto:sfleming@halelane.com), [dbergsing@halelane.com](mailto:dbergsing@halelane.com), [ecfvegas@halelane.com](mailto:ecfvegas@halelane.com)

\* **Edward J. Hanigan**  
[haniganlaw@earthlink.net](mailto:haniganlaw@earthlink.net), [haniganlaw1@earthlink.net](mailto:haniganlaw1@earthlink.net)

\* **Evan L. James**  
[ejameslv@earthlink.net](mailto:ejameslv@earthlink.net), [kbchislaw@aol.com](mailto:kbchislaw@aol.com)

\* **Robert R. Kinas**  
[Rkinas@swlaw.com](mailto:Rkinas@swlaw.com), [mstrand@swlaw.com](mailto:mstrand@swlaw.com), [jlustig@swlaw.com](mailto:jlustig@swlaw.com),  
[lholding@swlaw.com](mailto:lholding@swlaw.com), [imcord@swlaw.com](mailto:imcord@swlaw.com)

\* **Nile Leatham**  
[nleatham@klnecada.com](mailto:nleatham@klnecada.com), [ckishi@klnevada.com](mailto:ckishi@klnevada.com), [bankruptcy@knevada.com](mailto:bankruptcy@knevada.com)

\* **Robert C. LePome**  
[robert@robertlepome.com](mailto:robert@robertlepome.com), [susan@robertlepome.com](mailto:susan@robertlepome.com)

\* **William L. McGinsey**  
[lawoffices601@lvcoxmail.com](mailto:lawoffices601@lvcoxmail.com)

\* **Richard McKnight**  
[mcknightlaw@cox.net](mailto:mcknightlaw@cox.net), [gkopang@lawlasvegas.com](mailto:gkopang@lawlasvegas.com),  
[cburke@lawlasvegas.com](mailto:cburke@lawlasvegas.com), [sforemaster@lawlasvegas.com](mailto:sforemaster@lawlasvegas.com)

\* **Jeanette E. McPherson**  
[bkfilings@s-mlaw.com](mailto:bkfilings@s-mlaw.com)

\* **Donna M. Osborn**  
[jinouye@marquisaurbach.com](mailto:jinouye@marquisaurbach.com), [dosborn@marquisaurbach.com](mailto:dosborn@marquisaurbach.com),  
[tszostek@marquisaurbach.com](mailto:tszostek@marquisaurbach.com), [jcrowe@MarquisAurbach.com](mailto:jcrowe@MarquisAurbach.com),  
[kgallegos@MarquisAurbach.com](mailto:kgallegos@MarquisAurbach.com)

\* **Donald T. Polednak**  
[sandplegal@yahoo.com](mailto:sandplegal@yahoo.com), [sbankruptcy@yahoo.com](mailto:sbankruptcy@yahoo.com)

\* **Lenard Schwartz**  
[bkfilings@s-mlaw.com](mailto:bkfilings@s-mlaw.com)

\* **Jeffrey G. Sloane**  
[giklepel@yahoo.com](mailto:giklepel@yahoo.com)

\* **Peter Susi**  
[cheryl@msmlaw.com](mailto:cheryl@msmlaw.com), [msm@msmlaw.com](mailto:msm@msmlaw.com)

\* **Caryn S. Tijsseling**  
[cst@beesleyandpeck.com](mailto:cst@beesleyandpeck.com), [aha@beesleyandpeck.com](mailto:aha@beesleyandpeck.com)

\* **U.S. Trustee - LV - 11**  
[USTPRegion17.lv.ecf@usdoj.gov](mailto:USTPRegion17.lv.ecf@usdoj.gov)

\* **Joan C. Wright**  
[jwright@allisonimackenzie.com](mailto:jwright@allisonimackenzie.com), [jbrooks@allisonmackenzie.com](mailto:jbrooks@allisonmackenzie.com)

\* **Matthew C. Zirzow**  
[bankruptcynotices@gordonsilver.com](mailto:bankruptcynotices@gordonsilver.com)

☒ b. **United States mail, postage fully prepaid** (list persons and addresses):

TO ALL PARTIES on the attached Mailing Matrix (Exhibit A) that were not served through the Bankruptcy Court ECF noticing system.

☐ c. **Personal Service** (List persons and addresses):

☐ For a party represented by an attorney, delivery was made by handling the document(s) to the attorney or by leaving the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ d. **By direct email (as opposed to through the ECF system)** (list persons and email addresses):

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ e. **By fax transmission** (list persons and fax numbers):

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. **By messenger:**

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service. (A declaration by the messenger must be attached to this Certificate of Service).

**I declare under penalty of perjury that the foregoing is true and correct.**

DATED this 19th day of May, 2006.

/s/ Ginger Bagley  
An Employee of Lionel Sawyer & Collins

# **EXHIBIT A**

**USA Capital et al - MATRIX  
5/18/06 - Service List**

Annette W. Jarvis, Esq.  
Ray Quinney & Nebeker, PC  
36 So. State St., #1400, POB 45385  
Salt Lake City, UT 84145

Lenard E. Schwartz, Esq.  
Schwartz & McPherson Law Firm  
2850 So. Jones Blvd., Suite #1  
Las Vegas, NV 89146

Tom Allison  
USA Commercial Mortgage, et al - Debtors  
4484 South Pecos Road  
Las Vegas, NV 89121

Scott Farrow, Esq.  
US Dept. of Justice/Ofc. of US Trustee  
300 Las Vegas Blvd., #4300  
Las Vegas, NV 89101

USA Cap Realty Adv. - Unsec.  
Kummer, Kaempfer Bonner & Renshaw  
3800 Howard Hughes Pkwy., 7<sup>th</sup> flr.  
Las Vegas, NV 89109

USA Cap. Realty Adv. - Unsec.  
Intershow  
The Githler Center  
1258 North Palm Avenue  
Sarasota, FL 34236

USA Securites - Unsec.  
James Hull  
c/o Signature Financial  
2601 Airport Drive  
Torrance, CA 90505

USA Securities - Unsec.  
George Gorman  
c/o Financial West Group  
4510 E. Thousand Oaks Blvd.  
Thousand Oaks, CA 91362

USA Securities - Unsec.  
R. Hagmaier  
c/o Financial West Group  
4510 E. Thousand Oaks Blvd.  
Thousand Oaks, CA 91362

USA Securities - Unsec.  
Tim Rich  
c/o Financial West Group  
4510 E. Thousand Oaks Blvd.  
Thousand Oaks, CA 91362

Special Ntc.  
Don Tomlin  
c/o David W. Mounier  
15316 Sky High Road  
Escondido, CA 92025

Special Ntc.  
Edward M. Homfield  
Homfeld II, LLC  
777 S. Federal Hwy., #N409  
Pompano Beach, FL 33062

Special Ntc.  
Maryette Bowman  
534 Enchanted Lakes Drive  
Henderson, NV 89052

Special Ntc.  
RJ Rocco  
12617 Cottageville Lane  
Keller, TX 76248

Special Ntc.  
Janny Catharina Brouwer  
2533 Kinnard Avenue  
Henderson, NV 89074

Special Ntc.  
Michael R. Shuler  
c/o Jay R. Eaton, Eaton & O'Leary, PLLC  
115 Grove Avenue  
Prescott, AZ 86301

Special Ntc.  
Richard McKnight, Esq.  
Law Offices of Richard McKnight  
330 South Third St., #900  
Las Vegas, NV 89101

Special Ntc.  
Margie Gandolfo  
1724 Arrow Wood Drive  
Reno, NV 89521

Special Ntc.  
Robert R. Kinas/Meredith J. Strand  
Snell & Wilmer, LLP  
3800 Howard Hughes Parkway, #1000  
Las Vegas, NV 89109

Special Ntc.  
Kermit Kruse  
2710 Albany Avenue  
Davis, CA 95616

Special Ntc.  
Kelly J. Brinkman, Esq.  
Goold Patterson Ales & Day  
4496 So. Pecos Road  
Las Vegas, NV 89121

Special Ntc.  
Martin A. Weiss, Esq.  
One Betterworld Circle, #300  
Temecula, CA 92590

Special Ntc.  
Vince Danielian  
c/o Edward J. Hanigan, Esq.  
199 No. Arroyo Grande Blvd., #200  
Henderson, NV 89074

Special Ntc.  
Paul & Donna Jacques  
810 S.E. 7tyh Street, #A-103  
Deerfield Beach, FL 33441

Special Ntc.  
J. Donnolo et al c/o Janet Chubb, Esq.  
Jones Vargas  
100 West Liberty St., 12<sup>th</sup> flr., POB 281  
Reno, NV 89504

Special Ntc.  
Attila Jefzenszky  
1720 Colavita Way  
Reno, NV 89521

Special Notice  
William L. McGimsey, Esq.  
601 E. Charleston Blvd.  
Las Vegas, NV 89104

Special Notice  
Peter Bolino  
17412 Serene Drive  
Morgan Hill, CA 95037

Special Ntc.  
Franklin C. Adams, Esq.  
Best Best & Krieger, LLP  
3750 University Ave, #400, POB 1028  
Riverside, CA 92502

Special Notice  
Attys/Prospect Hih Inc. Fund, et al  
C. Cunningham/J. Kohl - Rawlings Olson et al  
9950 West Cheyenne Avenue  
Las Vegas, NV 89129

Special Ntc.  
S & J Enterprise Invest. - Caryn S. Tijsseling  
Beasley Peck & Matteoni, Ltd.  
5011 Meadowood Mall Way, #300  
Reno, NV 89502

Special Ntc.  
R Mason/P Smoots/M Schmahl  
Mcguire Woods, LLP  
77 West Wacker Drive, #4100  
Chicago, IL 60601

Special Ntc.  
Regina M. McConnell, Esq.  
Kravitz Schnitzer Sloane et al  
1389 Galleria Drive, #200  
Henderson, NV 89014

Special Notice  
Community Bank of Nevada  
c/o Donald T. Polednak, Ltd.  
7371 Prairie Falcon, #120  
Las Vegas, NV 89128

Special Notice  
Bank of America  
c/o Scott D. Fleming - Hale Lane et al  
3930 Howear Hughes Parkway, 4<sup>th</sup> flr.  
Las Vegas, NV 89109

Special Notice  
Miklos Steuer c/o N. Leatham/J. MacRobbie-  
Kolesar & Leatham  
3320 W. Sahara Ave., #380  
Las Vegas, NV 89102

Special Notice  
American Express Bank  
c/o Gilbert B. Weisman - Becket & Lee  
P.O. Box 3001  
Malvern, PA 19355

Special Notice:  
Andrew Welcher c/o William E. Winfield, Esq.  
Nordman Cormany Hair & Compton  
1000 Town Center Dr., 6<sup>th</sup> flr. - POB 9100  
Oxnard, CA 93031

Other Parties:  
Nevada Mortgage Pending Div.  
Attn: Susan Eckhardt  
3075 E. Flamingo Rd., #100  
Las Vegas, NV 89121

Other Parties:  
Pension Benefit Guaranty Corp.  
Office of the Chief Counsel  
1200 K Street NW  
Washington D.C. 20005

Other Parties:  
DMV & Public Safety  
Records Section  
555 Wright Way  
Carson City, NV 89711

Other Parties:  
Nevada Dept. of Taxation  
Bankruptcy Division  
555 East Washington #1300  
Las Vegas, NV 89101

Other Parties:  
Nevada Secretary of State  
202 North Carson Street  
Carson City, NV 89701

Other Parties:  
Office of Labor Commissioner  
555 E. Washington Ave., #4100  
Las Vegas, NV 89101

Other Parties:  
U.S. Securities & Exchange Comm.  
Attn: Sarah D. Moyed, Esq.  
5670 Wilshire Blvd., #1100  
Los Angeles, CA 90036

Other Parties:  
Dept. of Employment Training  
Employ. Sec. Div. Contrib. Sec.  
500 East Third Street  
Carson City, NV 89713

Other Parties:  
Employers Ins. Co. of Nevada  
Attn: Bankruptcy Desk  
9790 Gateway Drive  
Reno, NV 89521

Other Parties:  
IRS/Attn: Bankruptcy Dept.  
Stop 5028  
110 City Parkway  
Las Vegas, NV 89106

Other Parties:  
Nevada Dept. of Taxation  
Revenue Division  
Capitol Complex  
Carson City, NV 89710

Other Parties:  
U.S. Attorney  
District of Nevada  
323 Las Vegas Blvd. So., #5000  
Las Vegas, NV 89101

Other Parties:  
U.S. Dept. of Justice  
Tax Div. - Western Region  
P.O. Box 683 - Ben Franklin Station  
Washington D.C. 20044

Other Parties:  
IRS  
Ogden, UT 84201

Other Parties:  
Dept. of Veterans Affairs  
Loan Service and Claims  
3225 North Central  
Phoenix, AZ 85012

Other Parties:  
Clark County Assessor  
c/o Bankruptcy Clerk  
P.O. Box 551401  
Las Vegas, NV 89155

Other Parties:  
IRS - District Counsel  
110 City Parkway  
Las Vegas, NV 89106

Other Parties:  
FHA/HUD District Office  
333 North Rancho Drive, #700  
Las Vegas, NV 89106

Other Parties:  
Clark County Treasurer  
c/o Bankruptcy Clerk  
P.O. Box 551220  
Las Vegas, NV 89155

Bradley J. Stevens, Esq.  
Robbins & Green, PA  
3300 No. Central Ave., Suite 1800  
Phoenix, AZ 85012

Peter Susi and Jay L. Michaelson  
Michaelson Susi & Michaelson  
7 West Figueroa St., 2<sup>nd</sup> floor  
Santa Barbara, CA 93101

Gregory Walch, Esq.  
Santoro Driggs et al  
400 South Fourth Street, 3<sup>rd</sup> flr.  
Las Vegas, NV 89101

Jed A. Hart, Esq.  
Angelo Gordon & Co.  
245 Park Avenue, 26<sup>th</sup> flr.  
New York, NY 10167

Paul A. Jacques  
810 South East 7<sup>th</sup> St., #A-103  
Deerfield Beach, FL 33441

William J. Bullard/Fertitta Enterprises  
P.O. Box 27555  
Las Vegas, NV 89126  
Unsec. Cred. Comm. - Ex. Contr.

Helms Homes, LLC/Terry Helms  
809 Upland Blvd.  
Las Vegas, NV 89107  
Unsec. Cred. Comm. - Ex. Contr.

Terry R. Helms Liv. Trust/Terry Helms  
809 Upland Blvd.  
Las Vegas, NV 89107  
Unsec. Cred. Comm. - Ex. Contr.

Homfeld, II LLC/Edward W. Homfeld  
858 Bishop Road  
Grosse Pointe Park, MI 48230  
Unsec. Cred. Comm. - Ex. Contr.

Arthur Polacheck  
2056 Woodlake Circle  
Deerfield, FL 33442  
Unsec. Cred. Comm. - Ex. Contr.

Dennis Flier, Inc. DBT - Dennis Flier  
20155 Porto Vita Way, #1803  
Aventura, FL 33180  
Unsec. Cred. Comm. - Ex. Contr.

Jim McCollum  
1011 "F" Avenue  
Coronado, CA 92118  
Unsec. Cred. Comm. - Ex. Contr.

Robert Worthen  
1112 Worthen Circle  
Las Vegas, NV 89145  
Equity Sec. Holders Comm. Div. Tr. Deed

Katz 200 Sep. Prop. Tr./Sara M. Katz  
4250 Executive Square, #670  
San Diego, CA 92037  
Equity Sec. Holders Comm. Div. Tr. D.

Thomas C. Lawyer  
45 Ventana Canyon Drive  
Las Vegas, NV 89113  
Equity Sec. Holders Comm. Div. Tr. D.

Maryan Rutar  
4043 Chalfont Court  
Las Vegas, NV 89121  
Equity Sec. Holders Comm. Div. Tr. D.

Charles O. Nichols  
2561 Seascapes Drive  
Las Vegas, NV 89128  
Equity Sec. Holders Comm. Div. Tr. Deed

Kurt Hunsberger/Gannaway Char.R. Trust  
3500 Lakeside Court, #200  
Reno, NV 89520  
Equity Sec. Holders Comm. Div. Tr. Deed

Robert H. Mansfield  
3611 Victory Avenue  
Las Vegas, NV 89121  
Equity Sec. Holders Comm. Div. Tr. Deed

Robert E. Taylor/Chuck Heinrichs  
198 El Pajaro  
Newbury Park, CA 91320  
Equ. Sec. Holders Comm. 1<sup>st</sup> Tr. Deed

John H. Warner, Jr.  
2048 North Chettr Trail  
St. George, UT 84770  
Equ. Sec. Holders Comm. 1st Tr. Deed

Mary Ellen Moro  
1009 - 8<sup>th</sup> Street  
Manhattan Beach, CA 90266  
Equ. Sec. Holders Comm. 1st Tr. Deed

Richard G. Woudstra/RGW Recov. Trust  
P.O. Box 530025  
Henderson, NV 89053  
Equ. Sec. Holders Comm. 1st Tr. Deed

Wen Baldwin, WB Sep. Prop. Trust  
365 Dooley Drive  
Henderson, NV 89015  
Equ. Sec. Holders Comm. 1st Tr. Deed

Jerry T. McGimsey  
3115 So. El Camino Road  
Las Vegas, NV 89146  
Equ. Sec. Holders Comm. 1st Tr. Deed

Richard Horowitz  
5 Fir Drive  
Kings Point, NY 11024  
Equ. Sec. Holders Comm. 1st Tr. Deed

Donald Walker/Del Bunch dba Louis Part.  
9209 Eagle Hills Drive  
Las Vegas, NV 89134  
Unsec. Cred. Comm.

Robert A. Russell/AD Devel. Group LLC  
8585 East Hartford Dr., #500  
Scottsdale, AZ 85255  
Unsec. Cred. Comm.

Annee Nounna  
8057 Lands End Court  
Las Vegas, NV 89117  
Unsec. Cred. Comm.

Michael T. Yoder/Adv. Informa. Systems  
4270 Cameron St., #1  
Las Vegas, NV 89103  
Unsec. Cred. Comm.

Robert L. Hagmaier  
15254 Candlewood Court  
Lake Oswego, OR 97035  
Unsec. Cred. Comm.

Greg Garman, Esq.  
Gordon & Silver  
3960 Howard Hughes Parkway, 9<sup>th</sup> flr.  
Las Vegas, NV 89109



Thomas H. Fell, Esq./Matthew C. Zirzow, Esq.  
Gordon & Silver  
3960 Howard Hughes Parkway, 9<sup>th</sup> flr.  
Las Vegas, NV 89109

Candace Carlyon, Esq.  
Shea & Carlyon  
233 South Fourth St., #200  
Las Vegas, NV 89101

Nicholas J. Santoro, Esq.  
Santoro Driggs et al  
400 South Fourth Street, 3<sup>rd</sup> floor  
Las Vegas, NV 89101

Robert C. LePome, Esq.  
330 South Third Street, #1100-B  
Las Vegas, NV 89101

Frank Merola/Eve Karasik  
Stutman Treister & Glatt  
1901 Avenue of the Stars, 12<sup>th</sup> floor  
Los Angeles, CA 90067

Spec. Notice  
Richard J. Mason  
130 Pinetree Lane  
Riverwoods, IL 60015

Special Ntc.  
Erven T. Nelson  
6060 W. Elton Avenue, #A  
Las Vegas, NV 89107

Special Notice  
Joshua D. Brysky  
Law Offices of James G. Schwartz  
7901 Stoneridge Dr., #401  
Pleasanton, CA 94588